

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1704

H.P. 1163

House of Representatives, April 25, 1991

Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative WHITCOMB of Waldo.

Cosponsored by Representative NUTTING of Leeds and Representative SPEAR of Nobleboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Prohibit the Sale and Distribution of Certain Milk Products.



Be it enacted by the People of the State of Maine as follows:

2
4 Sec. 1. 7 MRSA §2901, first ¶, as amended by PL 1979, c. 541,
Pt. A, §72, is further amended to read:

6 As used in this section, sections 2901-A to 2904 and ~~3101-1e~~
8 ~~3103~~ chapter 609, unless the context otherwise indicates, the
following terms shall have the following meanings.

10 Sec. 2. 7 MRSA §3105 is enacted to read:

12 §3105. Bovine somatotropin

14 1. Definitions. As used in this section, unless the
16 context otherwise indicates, the following terms have the
following meanings.

18 A. "BST" means bovine somatotropin.

20 B. "Milk products" has the same meaning as in section 2901,
22 subsection 22.

24 C. "Person" means an individual, partnership, corporation,
26 association, the State, or any other public or private
entity.

28 2. Prohibited sales. A person may not sell, offer to sell
30 or otherwise distribute a milk product or a meat product that may
32 enter the human food chain produced by or from cows that have
34 been administered BST for any reason.

36 3. Restricted uses. BST may not be administered for any
38 purpose until one year from the effective date of approval of the
40 use of BST by the federal Food and Drug Administration. After
42 that date, BST may be administered in the context of a research
44 program.

46 4. Penalty. Any person who violates this section is
48 subject to a civil penalty of \$500, payable to the State. This
50 penalty is recoverable in a civil action. Any person who
violates this section more than once is subject to revocation or
suspension, at the discretion of the commissioner, of any license
issued to that person pursuant to section 2902.

52 5. Repeal. This section is repealed upon certification to
54 the Executive Director of the Legislative Council that the
56 commissioner has approved the use of BST for cows used in the
58 production of food products intended for human consumption in the
60 State. The commissioner may not approve the use of BST until one
62 year from the effective date of approval of the use of BST by the
64 federal Food and Drug Administration. The commissioner may not

2 issue this certification unless the Commission on Biotechnology
4 and Genetic Engineering notifies the commissioner that the use of
6 BST is safe for cows used in the production of food products
8 intended for human consumption.

STATEMENT OF FACT

10 This bill prohibits the sale and distribution of milk
12 products or meat products that may enter the human food chain
14 produced by cows that have been administered the growth hormone
16 bovine somatotropin, commonly known as BST.

18 The bill allows use of BST in research programs after one
20 year from the effective date of approval of BST by the federal
Food and Drug Administration and provides a mechanism by which
the Commissioner of Agriculture, Food and Rural Resources may
approve the use of BST after one year from approval by the
federal Food and Drug Administration and on the advice of the
Commission on Biotechnology and Genetic Engineering.